

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 907 of 1997

HIMATBHAI FULABHAI

Versus

COMPETENT AUTHORITY & DY. COLLECTOR, ULC, VADODARA

Appearance:

MR MC BHATT for Petitioner

MR MUKESH PATEL AGP for Respondent No. 1, 4

MR HS MUNSHAW for Respondent No. 3

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 26/07/1999

ORAL JUDGEMENT

1. Heard the learned counsel for the respective parties.

2. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

3. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March, 1999.

4. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

5. It is so found and accordingly held, and the present petition is disposed off accordingly.

6. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No. ULC/1099-602/V1 dated 15th April, 1999.

7. It may merely be noted here that the petitioner

herein asserts that he is in possession of the land in question. This claim is disputed by learned counsel for the respondent nos. 1 & 2. This petition is disposed off on the basis of the aforesaid findings recorded in paras 2 to 5 while merely recording the controversy as to possession without arriving at any factual finding on this controversy.

8. Rule is accordingly discharged with no order as to costs. Interim relief, if any, stands vacated.

(Y.B. BHATT, J.)

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